

IN THE DRAWINGS

The attached sheet of drawings includes changes to Figure 1. This sheet, which includes Figure 1, replaces the original sheet which included the sole Figure.

Attachment: Replacement Sheet (1)

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

The disclosure has been objected to as containing informalities; Claim 23 has been objected to as containing informalities; Claims 13-22 and 24 have been rejected under 35 U.S.C. §102(b) as being anticipated by Araki et al. and Claim 23 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Araki et al. in view of Shinzawa et al. Claims 1-3 and 16 have been canceled, without prejudice, and thus, Claims 13-15 and 17-24 remain active.

Considering first then the Examiner's objection to the disclosure, it is to be noted that appropriate amendments have now been made to the specification to provide the headings requested by the Examiner along with a new description of Figure 1.

Applicants further note that an Abstract of the Disclosure was submitted in the Preliminary Amendment filed December 17, 2004 as listed in the Official Filing Receipt. It is therefore submitted that the specification fully complies with U.S. patent practice and procedure. It is also noted that a Letter Requesting Entry of Substitute Drawings is submitted herewith for the purpose of submitting Figure 1 which corresponds to the sole figure originally filed in the application but which has now been properly labeled as Figure 1.

Considering next then the Examiner's objection to Claim 23, it is to be noted that such claim has now been appropriately amended to now depend from Claim 22.

Considering next then the rejection of Claims 13-22 and 24 under 35 U.S.C. §102(b) as being anticipated by Araki et al., it is to be noted that Claim 13 and Claim 24 have each been amended to include the limitation that the parameter representing the operating conditions of the device configured for regeneration of the vehicle particle filter comprises a ratio of a flow of exhaust gases emanating from the engine of the vehicle and a measurement

of mass of soot burned during use of the device configured for regeneration of the filter over a predetermined period of time. The advantage of this is as explained at page 6, lines 6-18 of the specification. While the Examiner has explained that the corresponding ratio is used in Araki et al. as disclosed at column 4, lines 8-67 and column 5, lines 1-52, teaches Applicant's claimed ratio it is to be noted that a further review of such disclosure and the corresponding figures of Araki et al indicates that while calculations are made based upon the formula shown for example, in Figures 3 and 6 and in the corresponding discussion at column 4, lines 31-45 and column 5, lines 10-40, none of these calculations involve the claimed ratio in Claim 13 and instead involve either comparisons, additions, multiplications or utilize subtractions or ratios other than that presently claimed ratios. For example, step 101 involves the mere detection of current engine load L and engine speed N to calculate the quantity of particulates that are in filters 5 and the temperature T of the exhaust gases. The only ratio mentioned in the operation shown in Figures 3 and 6 of Araki et al is in step 102 in Figure 3 and in step 202 in Figure 6 which only compares the amount of particulate collected in each filter at different time periods by use of a first map shown in Figure 4 for the operative steps in Figure 3, as explained at column 4, lines 39-46 of Araki et al. As can thus be appreciated, this map only compares the particulate collecting ratio K versus the quantity of collected particles rather than using a parameter representing operation conditions of the device configured for regeneration of the filter which includes Applicants' claimed ratio of the flow of gases emanating from an engine of the vehicle and a measurement of a mass of soot burned during use of the device for regeneration over a predetermined period of time. As can thus be appreciated, the ratio utilized in accordance with the present invention clearly differs from the ratio mentioned above in Araki et al.

None of the other steps set forth in Figures 3 or 6 of Araki et al. teach or disclose the above-emphasized ratio which now appears in the claim language of Claims 13 and 24,

respectively. More particularly, insofar as ratio K discussed above is the only ratio disclosed in Araki et al. It is submitted that the invention claimed in each of Claims 13 and 24 has no corresponding teach or disclosure in such reference or any of the remaining references of record. It is also submitted that dependent Claims 14, 15 and 17-22 also merit indication of allowability based upon their dependence as Claim 13 either directly or indirectly.

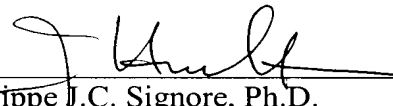
Considering next then the rejection of Claim 23 under 35 U.S.C. §103(a) as being unpatentable over Araki et al. in view of Shinzawa et al., it is submitted that Shinzawa et al. fails to rectify the deficiencies noted hereinabove with regard to Araki et al., particularly insofar as such has been only cited for the use of a computer to calculate the internal temperature of the particle filter based upon the equation set forth in the Office Action. It is submitted, however, that Shinzawa et al. would not be obviously combinable with Araki et al. and, moreover, would not provide a teaching of the ratio limitation mentioned hereinabove for use in the method claimed in Claim 13 or the system claimed in Claim 24. It is therefore submitted that Claim 23 also merits indication of allowability with the same being hereby respectfully requested.

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